

STATE BOARD OF ELECTIONS

2015 DEC 15 AM 8:18

KENT GRAY
ATTORNEY AT LAW, CHARTERED

ADMITTED TO PRACTICE
IN ILLINOIS

PO BOX 13084
SPRINGFIELD, IL 62791

(217) 836-2262
KENT@KENTGRAY.COM

December 11, 2015

#14679
13MA085

Mr. Steve Sandvoss
Executive Director
Illinois State Board of Elections
2329 South MacArthur Blvd.
Springfield, IL 62704

RE: Outstanding Late Filing Penalty (Amended to reflect higher amount)

Dear Mr. Sandvoss:

I have had a political committee registered with the ISBE since 1999. Its State reference number is 7455. Two years ago, I had a report that ended up being filed late. I had thought that the report was filed, but apparently I had a computer issue.

Although I filed an appeal in the matter, my request arrived at your offices after the 30 day period. My appeal was disallowed as untimely, and a penalty of \$4,550.00 was imposed on the committee.

Please consider this letter as a formal request to the Illinois State Board of Elections to enter into a settlement of the matter and accept the amount of \$2,275.00 in satisfaction of the previous penalty imposed.

Thank you for your consideration.

Sincerely,



Kent Gray

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
 Complainant(s),)
)
Vs.) 13 MA 085
)
Citizens for Kent Gray)
 Respondent(s).)

FINAL ORDER

TO: Citizens for Kent Gray ID# 14679
 2116 Illini Rd
 Springfield, IL 62704

This matter coming to be heard this 19th day of February, 2014 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

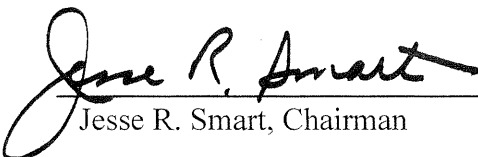
THE BOARD FINDS

1. In case number 13 MA 085, a \$3650.00 civil penalty was assessed against the Respondent for the delinquent filing of the June 2013 Quarterly report; and
2. In case number 13 MA 085, a \$900.00 civil penalty was assessed against the Respondent for the delinquent filing of the September 2013 Quarterly report, and
3. An appeal of the civil penalty was not timely submitted by the committee.

IT IS ORDERED:

1. A civil penalty in the amount of \$4550.00 is imposed and is now due and owing within 30 days of the effective date of this Order; and
2. The effective date of this Order is February 24, 2014, and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/24/2014



Jesse R. Smart, Chairman

COLES COUNTY CORONER STATE BOARD OF ELECTIONS

ED SCHNIERS - CORONER

1200 Wabash Avenue

Mattoon, Illinois 61938

Ph. (217) 234-2222 Cell (217) 273-3435

Fax (217) 234-2226

Email: coroner@consolidated.net

2015 DEC 14 PM 4:02

December 11, 2015

Mr. Ken Menzel

State Board of Elections State of Illinois

2329 S. MacArthur Blvd

Springfield, Illinois 627

Dear Mr. Menzel:

The Friends to elect Ed Schniers Coroner have incurred a fine due to late filing with the campaign disclosure.

We would like to make a settlement offer in the amount of \$175.00. We feel this is a fair offer. Thank you for your consideration in this matter.

We hope this matter can be handled quickly so as my name may be added to the ballot for the March Primary to run again for Coroner and continue to serve the people of Coles County. Thank you again.

Sincerely,

John Edward Schniers.

John Edward Schniers

Coles County Coroner

20954

14M0078

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
State Board of Elections)
 Complainant(s),)
)
Vs.) 14 MQ 078
)
Friends to Elect Ed Schniers)
Coroner)
 Respondent(s).)

FINAL ORDER

TO: Friends to Elect Ed Schniers Coroner ID# 20954
819 11th St
Charleston, IL 61920

This matter coming to be heard this 17th day of September, 2014 as an imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections being fully advised in the premises,

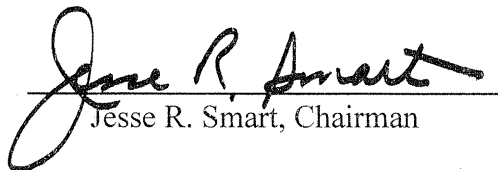
THE BOARD FINDS

1. In case number 14 MQ 078, a \$250.00 civil penalty was assessed against the Respondent for the delinquent filing of the March 2014 Quarterly report; and
2. An appeal of the civil penalty was not submitted by the committee, and
3. The committee was previously assessed a penalty of \$75.00, which was stayed as a first violation, for the delinquent filing of the December 2013 quarterly report (14 DQ 085). This assessment was not appealed, and
4. The committee filed a Final report on April 22, 2014.

IT IS ORDERED:

1. A civil penalty in the amount of \$250.00 is imposed and the stay is lifted on the previously assessed penalty of \$75.00. The total amount of \$325.00 will be abated on September 17, 2016 if the committee remains dissolved until that time without forming a Successor committee pursuant to Rules and Regulations 100.110(b); and
2. The effective date of this Order is September 17, 2014 and
3. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 9/17/2014


Jesse R. Smart, Chairman

Calvin, Amy

From: Menzel, Ken
Sent: Monday, December 14, 2015 5:32 PM
To: Calvin, Amy
Subject: FW: Civil penalty/settlement

22405
1490076

-----Original Message-----

From: Mary Burress [mailto:mary.burress@yahoo.com]
Sent: Wednesday, December 09, 2015 3:08 PM
Subject: Civil penalty/settlement

Gentleman,

My closed campaign fund, ID # 22405 Citizens for Mary Burress, Tazewell County Treasurer, has an outstanding penalty balance of \$500.00. Do to a Ballot Forfeiture I am offering a settlement of \$250.00 to be paid by the January 7th 2016 dead line, therefore I am asking for the release of the Ballot Forfeiture for my name to be placed on the March 15, 2016 ballot.

Thank you in advance for the consideration of this matter.

Mary Burress
713 Deerfield Dr
Pekin, IL 61554
309 241-7563
mary.burress@yahoo.com <mailto:mary.burress@yahoo.com>

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
Illinois State Board of Elections)
 Complainant(s),)
)
Vs.) 14 JQ 076
)
Citizens for Mary Burress for)
Treasurer)
 Respondent(s).)

FINAL ORDER

TO: Citizens for Mary Burress for Treasurer
713 Deerfield Dr
Pekin, IL 61554-9737

ID# 22405

This matter coming to be heard this 18th day of February, 2015 as an appeal of the imposition of a civil penalty under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections having read the report of the Hearing Officer and reading the recommendation of the General Counsel and now being fully advised in the premises,

THE BOARD FINDS:

1. In case number 14 JQ 076, a \$350.00 civil penalty was assessed against the Respondent for the delinquent filing of the June 2014 Quarterly report; appeal was taken from this assessment, and
2. The committee was previously assessed a penalty of \$150.00, which was stayed as a first violation, for the delinquent filing of the March 2014 Quarterly report (14 MQ 089). This assessment was not appealed, and
3. The recommendation of the Hearing Officer, in which the General Counsel concurs, is that the appeal be denied for lack of an adequate defense, and
4. The committee filed a Final report on January 28, 2015.

IT IS ORDERED:

1. The recommendation of the Hearing Officer and the General Counsel is adopted and the appeal is DENIED; and
2. A civil penalty in the amount of \$350.00 is imposed and the stay is lifted on the previously assessed penalty of \$150.00. The total amount of \$500.00 will be abated on February 20, 2017 if the committee remains dissolved until that time without forming a Successor committee pursuant to Rules and Regulations 100.110(b), and
3. The effective date of this Order is February 20, 2015, and
4. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 2/20/2015


Jesse R. Smart, Chairman

23820

13MA092

‡

14MQ107

From: Paul Rosenfeld <Paul@govnavigationgroup.com>

Date: December 17, 2015 at 9:52:02 AM CST

To: Mike Kasper <mjkasper60@mac.com>

Cc: Michael Del Galdo <delgaldo@dlglawgroup.com>

Subject: Fwd: Friends of Paul Rosenfeld

Mike,

Attached is the order I received from BOE back in November, 2014. I was ordered to pay \$6,274.00 which I did. I was also ordered to not set up a successor account for two years and I never have set up a successor account. (I was appointed Democratic Committeeman in September, 2015 and I have never opened a new campaign account. Also, I am also not listed on the 47th Ward Democratic Organization, that remains in the name of my predecessor, Jack Lydon). I did circulate petitions to get on the 2016 Primary but I don't read that as a violation of the order. However, I would be willing to pay a negotiated fine just to put this matter behind me. Originally at my hearing in 2015, I was going to be fined 100% of what was in my account (\$12,548). After pleading my case to the BOE Commissioners they cut the fine 1/2 (\$6,274) and added the two year probation language. I would be willing to now pay the other \$6,274.00 that would have been my original fine amount. Thanks,

Paul Rosenfeld

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

STATE BOARD OF ELECTIONS
STATE OF ILLINOIS

In the Matter Of:)
)
Illinois State Board of Elections)
 Complainant(s),)
Vs.)
)
Friends of Paul Rosenfield)
 Respondent(s).)

FINAL ORDER

TO: Friends of Paul Rosenfield
213 W Institute Pl, #404
Chicago, IL 60610

ID# 23820

This matter coming to be heard this 17th day of November, 2014 as a Motion to Settle Civil Penalty Assessment under Article 9 of the Illinois Election Code (10 ILCS 5/9-1 *et. seq.*), and the State Board of Elections reading the recommendation of the General Counsel and now being fully advised in the premises,


THE BOARD FINDS:

1. A Motion to Settle Civil Penalty Assessment was filed by the Respondent requesting that the assessed civil penalty in the amount of \$23,400.00 be reduced to \$6274.38 (one half of the committee's remaining balance) and indicated a Final report will be filed dissolving the committee.

IT IS ORDERED:

1. The Motion to Settle Civil Penalty Assessment is accepted by the Board; and
2. The settlement offer of \$6274.38 is now due and owing within 30 days of the effective date of this Order, and
3. If the committee files a Final report and remains dissolved for a period of two years without forming a Successor committee pursuant to Rules and Regulations 100.110(b), the remaining balance of \$17,125.62 will be abated, and
4. The effective date of this Order is November 19, 2014, and
5. This is a Final Order subject to review under the Administrative Review Law and Section 9-22 of the Election Code.

DATED: 11/19/2014


Jesse R. Smart, Chairman

17,125.62

1 MS. COFFRIN: Yes.

2 MS. CALVIN: Mr. Gowen?

3 MR. GOWEN: Yes.

4 MS. CALVIN: Mr. McGuffage?

5 MR. MCGUFFAGE: Yes.

6 MS. CALVIN: Mr. Schneider?

7 MR. SCHNEIDER: Yes.

8 MS. CALVIN: Ms. Watson?

9 MS. WATSON: Yes.

10 MS. CALVIN: Vice-Chairman Scholz?

11 MR. SCHOLZ: Yes.

12 MS. CALVIN: Chairman Smart?

13 CHAIRMAN SMART: Yes. All "ayes". Motion

14 carries. Thank you.

15 MR. SANDVOSS: Thank you, Mr. Chairman.

16 And I just want to note that I believe we have
17 a representative from the committee up in the Chicago
18 office.

19 This was a settlement offer, requesting a
20 settlement of \$2,500. However, the committee was assessed
21 a penalty for various reports, any quarterly reports taking
22 place between 2012 to March of this year, and the total
23 fine is 23,800. 2,500 would be significantly less than the
24 50 percent, which is why I recommended denying the

1 settlement offer as insufficient.

2 However, the committee did state in its offer
3 that at the end of their campaign two and a half years ago,
4 they had been dormant during that time period. They have
5 no intention -- the candidate, rather, has no intention of
6 seeking any further office.

7 Based on these, it seems that this committee
8 would be -- could avail itself of the option to dissolve,
9 remain dissolved for a period of two years. If they do
10 remain so dissolved without forming a successor committee,
11 the fine would be abated; and I would recommend that the
12 committee be apprised of that and be given that
13 opportunity.

14 CHAIRMAN SMART: Is the representative
15 actually in Chicago?

16 MR. ROSENFELD: Yes.

17 CHAIRMAN SMART: Do you understand the
18 suggestion of the General Counsel?

19 MR. ROSENFELD: I think I do, yes.

20 CHAIRMAN SMART: Is the campaign willing to
21 accept that suggestion?

22 MR. ROSENFELD: Yes, I am.

23 CHAIRMAN SMART: You said yes?

24 MR. ROSENFELD: Yes.

1 CHAIRMAN SMART: Okay.

2 MR. SANDVOSS: The fine is 23,800.

3 MR. BYERS: How much did he offer?

4 MR. SANDVOSS: He offered \$2,500.

5 CHAIRMAN SMART: So do we have a motion to
6 accept?

7 MR. GOWEN: If I may. The committee has a
8 balance of \$12,500, correct? That was in the report. So
9 if the committee dissolves, Steve, what happens to the
10 \$12,500? That would cash it out, wouldn't it?

11 MR. SANDVOSS: By rule, any amount that's
12 remaining in the committee at the time that they dissolve
13 would have to be given to the State Board of Elections,
14 yes.

15 MR. GOWEN: That's what I thought.

16 CHAIRMAN SMART: We'll get half. Do you
17 understand that, sir?

18 MR. NAUMAN: Basically what happens is, the
19 statute says if there's any fines left over in the
20 political committee at that point, you have to pay with
21 whatever part you have left. You have to pay -- once your
22 bills are paid, you have to pay the remaining amount to the
23 State before you're allowed to file a final report and
24 close out the accounts.

1 MR. ROSENFELD: Well, I had started the
2 committee with my own money, \$50,000. They have not paid
3 that back.

4 MR. McGUFFAGE: This is six of one and half a
5 dozen of another. If he offers the 12,500 or whatever's
6 left in the committee, he's offering half, 50 percent
7 settlement. If he goes out of business, yes, he has to
8 give us what's left in the committee. Either way, if he
9 wants to keep it active, give us the 12,000 -- offer us the
10 12,500. If he wants to dissolve and make it go away --
11 which I think would be the best option, because otherwise
12 he'll just keep incurring these things. But if he stays
13 out of business for two years -- but either way, it's going
14 to come up to the same amount.

15 CHAIRMAN SMART: But did I -- we couldn't hear
16 you very well. Did you say that it was all your money to
17 start with; you planned on paying it back to you?

18 MR. ROSENFELD: Yeah. Anything that I raised
19 from anyone else, I had written checks and sent them back
20 to them when I started up my campaign. I waited and kept
21 the last money in to make sure that any checks that were
22 out there I balanced and paid off before I paid myself
23 back.

24 I started my campaign sometime in mid-2011. I

1 then dissolved it or terminated the campaign right around
2 January or December of '12 -- December of 2011 or January
3 of 2012. And then it completely laid dormant. I had a
4 treasurer who worked for me, and we were great at getting
5 in all of our filings. And so she left in about August of
6 2012 and that. (Unintelligible) Because it was dormant, I
7 was (unintelligible) and didn't -- I know I should have. I
8 realize that, but I didn't realize that I was supposed to
9 be doing filings, because, again, my campaign was
10 terminated and I was doing absolutely zero with the money.
11 The only reason I kept the money in the account was to make
12 sure that any checks that came in were cleared and I was
13 able to send back money to everybody that sent me money.

14 Once I found out what had happened, I filed a
15 motion for appeal. I was denied, and then I went -- I'm
16 not planning on running for office again. I just wanted to
17 settle this.

18 CHAIRMAN SMART: Legally, can he take it back
19 personally instead of giving it to us?

20 MR. SANDVOSS: Well, the statute seems to not
21 allow that. There's two provisions at issue: 9-5, which
22 says, "In the event that a political committee dissolves,
23 all contributions in its possessions" -- loans are
24 considered a contribution -- "after payment of the

1 committee's outstanding liabilities shall be refunded to
2 the contributors in amounts not exceeding their individual
3 contributions."

4 I think that presumes that the outstanding
5 liabilities, which would include civil penalties, would
6 have to be paid first before the committee could take money
7 out of the committee to pay other expenses.

8 In addition to that, Rule 100.110 says that if
9 the political committee seeks to go out of business after a
10 civil penalty that's been imposed upon them pursuant to the
11 Election Code, the political committee must first pay the
12 civil penalty; or if it lacks sufficient funds, pay to the
13 State Board such sums as it has in its treasury in
14 satisfaction of the settled penalty.

15 So, the payment of civil penalty is a
16 prerequisite to afford itself the privilege of dissolving.

17 MR. SCHOLZ: What if he had, like, a
18 promissory note to the committee that he would pay himself
19 back with already, along with whatever other outstanding
20 obligations he had, before we reached this? Would that
21 have been acceptable? Although I guess there's not enough
22 money to pay \$50,000 back.

23 MR. SANDVOSS: Under that Section, 9-5, if a
24 civil penalty is considered an outstanding liability --

1 which I believe it is -- I think that would still have to
2 come before other payments.

3 MR. SCHOLZ: Okay.

4 MR. SANDVOSS: He contributed money to his
5 committee, so he is entitled to the return of that money;
6 but the problem is that before he can do that, the other
7 obligations -- I think the statute, along with the
8 accompanying rule -- at least the way I interpreted it --
9 requires that the payment of the penalty occur first.

10 Now, if the Board wants to, in light of the
11 situation that Mr. Rosenfield is facing, if they want to
12 make an exception to the usual requirement of a 50 percent
13 amount, I suppose the Board could entertain that.

14 MR. MCGUFFAGE: I didn't hear everything the
15 gentleman said, but what -- I would think that if you owe
16 money to vendors --

17 CHAIRMAN SMART: He said he paid all of the
18 vendors.

19 MR. MCGUFFAGE: Okay. Those were all paid? I
20 didn't hear him. But if you owe money --

21 CHAIRMAN SMART: Am I right, sir?

22 MR. ROSENFELD: I've paid everybody.
23 Everyone got paid.

24 MR. MCGUFFAGE: How much money did you put

1 into the campaign?

2 MR. ROSENFELD: I put in 50. I want to be
3 very clear on this. I paid myself back half of the money.
4 I did not pay back the other half. I don't want you to
5 assume I paid back 50,000. I did pay myself back 50
6 percent. I left the other 25,000 in there to make sure all
7 vendors, campaign workers, everyone got paid and all my
8 checks had cleared that I Sent back to every single person.

9 CHAIRMAN SMART: Well, if I hear the legal
10 presentation that our attorney made, General Counsel, you
11 need to pay us the 12,000 you've got on hand, unless we
12 vote that we'll accept a smaller amount.

13 MR. McGUFFAGE: Maybe we can -- I'm always one
14 for using our discretion in matters like this. Maybe we
15 can split the difference. He's got 12,000 left in his
16 fund, and he's agreed to dissolve this committee. Perhaps
17 he could pay us half of what's in there and pay the other
18 half to himself, the money that he owes himself. That
19 would be acceptable. But if you lend your campaign 25,000
20 or \$50,000, you're not going to pay yourself back of what's
21 left in your fund, then this penalty has to be paid.

22 So, if that's acceptable to you and acceptable
23 to my colleagues on the Board, I would want to vote for a
24 \$6,000 payment to the board and a \$6,000 payment to the

1 debt you owe to yourself for the contribution you put in.

2 CHAIRMAN SMART: What's your reaction to that,
3 sir?

4 MR. ROSENFELD: Yes, sir.

5 CHAIRMAN SMART: You'll do that?

6 MR. ROSENFELD: Yes, sir.

7 CHAIRMAN SMART: Then I think that's the
8 easiest thing to do. I agree with Bill.

9 MR. MCGUFFAGE: I know it's time to vote,
10 Steve, but I'm trying to work something out. If he -- I
11 hate to spend the guy's money when he put that much in his
12 own campaign.

13 MR. BYERS: He's paid all of his vendors also.

14 MR. MCGUFFAGE: I move this matter be resolved
15 by having the Respondent, Mr. Rosenfield, pay the State
16 Board of Elections \$6,000 in satisfaction of the civil
17 penalty imposed on him, and since he has \$12,000 in his
18 committee, to allow his committee -- and it's not exactly
19 12,000. I believe it's 12,000 and change. But at any
20 rate, and then to dissolve this committee and not
21 re-activate within two years, and the remainder of the fine
22 of the \$23,000 minus \$12,000 would be abated. Do you
23 understand all of that?

24 MR. ROSENFELD: Yes, I do.

1 MS. WATSON: Second.

2 MR. McGUFFAGE: The remainder of the fine --
3 there's still a fine hanging out there. \$6,000 cost in
4 satisfaction of the fine right now, and use the other 6,000
5 left in your committee to pay the debt to yourself,
6 personal loan; and then dissolve the committee and not
7 re-activate under its name or any other name for two years.
8 Then the remainder of the fine, the other \$12,000 or
9 \$11,000, still due and owing on the fine would be abated.
10 It would go away. So is that agreeable to you?

11 CHAIRMAN SMART: He said yes.

12 MR. ROSENFELD: It is.

13 MR. McGUFFAGE: That's my motion.

14 CHAIRMAN SMART: Member Watson seconded the
15 motion.

16 MS. STEWART: Is this half or was it the --

17 CHAIRMAN SMART: Well, what about the odd
18 money? Are we going to do 50 percent or \$6,000?

19 MR. McGUFFAGE: 50 percent -- I don't know
20 what the odd change is in there. I'm just throwing in
21 round numbers.

22 MS. STEWART: 6,274.38 is half.

23 MR. McGUFFAGE: Whatever is half. Half and
24 half.

1 CHAIRMAN SMART: 6,274.50 you say?

2 So it's not 6,000. It's 6,000 plus, which is
3 50 percent. So are we correct on that?

4 Okay. Roll call.

5 MR. GOWEN: If I may. If I understand the
6 motion -- and this is conditioned upon a final report being
7 filed, correct.

8 MR. MCGUFFAGE: Yes.

9 MR. GOWEN: Okay.

10 CHAIRMAN SMART: Yeah, that was the motion.

11 Okay. Are we out of discussion?

12 (Pause)

13 CHAIRMAN SMART: Roll call.

14 MS. CALVIN: Mr. Byers?

15 MR. BYERS: Aye.

16 MS. CALVIN: Ms. Coffrin?

17 MS. COFFRIN: Yes.

18 MS. CALVIN: Mr. Gowen?

19 MR. GOWEN: Yes.

20 MS. CALVIN: Mr. McGuffage?

21 MR. MCGUFFAGE: Yes.

22 MS. CALVIN: Mr. Schneider?

23 MR. SCHNEIDER: Yes.

24 MS. CALVIN: Ms. Watson?

1 MS. WATSON: Yes.

2 MS. CALVIN: Vice-Chairman Scholz?

3 MR. SCHOLZ: Yes.

4 MS. CALVIN: Chairman Smart?

5 CHAIRMAN SMART: Yes. Motion carries.

6 Thank you, sir.

7 MR. ROSENFELD: Thank you very much.

8 MR. MCGUFFAGE: Make sure Randy follows
9 through with this.

10 CHAIRMAN SMART: Next section is appeals of
11 campaign disclosure fines, and the hearing officer
12 recommends appeals be granted as Items 3, 4, 5, 6, and 7.
13 Is there anyone in either location to speak on those items?

14 MS. GERVASE: No one in Chicago.

15 CHAIRMAN SMART: Okay. And no one here.
16 Okay. I suggest we take all of those in one motion. Does
17 someone want to make the motion?

18 MR. BYERS: I will make it.

19 MR. SCHOLZ: I move to grant the appeals on 3,
20 4, 5, 6, and 7.

21 MR. BYERS: Second.

22 CHAIRMAN SMART: Okay. Roll call.

23 MS. CALVIN: Mr. Byers?

24 MR. BYERS: Aye.

STATE BOARD OF ELECTIONS



From the desk of.... **Kyle Thomas**
Director of Voting and Registration Systems
Phone: 217-782-1590
Email: kthomas@elections.il.gov

To: Steven S. Sandvoss

Re: Approval Request- Unisyn OpenElect 1.3.3 Voting System

Date: December 16, 2015

Unisyn Voting Solutions (Unisyn) is requesting the Board grant approval of their OpenElect Voting System, version 1.3.3 for use in Illinois. Their application for this approval request was received on August 27, 2015. The main components of this new voting system are the OpenElect Voting Optical Scan (OVO) firmware version 1.3.3 which includes ballot box Plastic Version 1.1, the OpenElect Voting Interface (OVI) firmware version 1.3 with 15" screen, the OpenElect Voting Central Scan (OVCS) firmware version 1.3.1, and the Election Manager (EM) and Ballot Layout Manager (ELM) both on version 1.3.1. This test consisted of three mock elections, the General Primary, the Consolidated, and the General each of which contained 100 precincts with results for Election Day, Early Voting, and Absentee Voting modes.

The OVO is their in-precinct scanner which tabulates both the hand marked optical scan ballots as well as those created using their electronic ballot marking device, the OVI. The OVI is a somewhat unique ballot marking device as it creates a ballot from thermal paper, once the voter has finished making their selections. The OVI also serves as an American's with Disabilities Act (ADA) assistive marking device. The OVCS is their central count tabulator which can also tabulate both the OVO and OVI ballots. All OVO ballots for this campaign were printed by Liberty Systems, LLC an Illinois supplier. Both the OVO and OVI ballots were marked by Unisyn provided temporary staff under direction of SBE staff. This system is capable of utilizing optical scan ballots that have either a red outlined vote marking area or a gray outlined vote marking area (digital scanners such as these cannot see red ink or light gray ink, therefore reducing the likelihood of an erroneous tabulation by mistakenly counting the outlined area versus a voter's mark).

It has been a long road with testing the Unisyn system. The first application for approval of a Unisyn voting system arrived back in May of 2013. That application was followed by a demonstration of their products, from which they received several recommendations from our staff. Unisyn took those recommendations, made application for approval of their modified product, and arrived in our facility in November of that same year to undergo their first set of Illinois testing, our preliminary test. Much like the demonstration earlier, several recommendations came out of the preliminary. Unisyn was eager to make the recommended changes in order to comply with Illinois law. This pattern continued for quite some time, with Unisyn arriving for testing, thousands of ballots being run, and issues arising that more modifications. Unisyn stayed the course

and continued to improve their product with each iteration until making application for this version 1.3.3 back in August.

This round of testing began like any other full certification attempt, utilizing our General Primary mock election with ballots for five separate political parties, regular and federal styles, as well as non-partisan styles. The optical scan ballots for the Primary were completely of the red outlined variety. These and the OVI ballots were counted by their OVO and OVCS tabulators. Upon completion of tabulation, all paper reports were provided by Unisyn's onsite staff member and results were uploaded into our ECanvas system. All results for the General Primary were accurately tabulated and reported with no errors. The total ballots cast for this election was 107,995. Total votes counted was 771,291, and total ballot positions were approximately 5,750,000.

The second of three mock elections was the Consolidated Election. This election totaled 96,000 ballots cast with 2,048,919 votes, and approximately 14,880,000 ballot positions. The optical scan ballots for the Consolidated were completely of the gray outlined variety. One counting error was detected with an OVO Election Day precinct. It was determined that one mark, which was counted accurately eight out of nine passes, was missed. Upon further investigation, the hand generated mark in question was found to be below the machine requirements for a 1 millimeter mark across the voting target area, making it an incomplete mark. A new ballot was created and used for the Early Voting and Absentee Voting portion of the test. No other errors were encountered and all reports were generated accordingly.

The final mock elections for this test was the General Election. Optical scan ballots for this portion of the test were a 50/50 mixture between red outlined and gray outlined ballots. The General consisted of a total ballots cast of 139,440, with 1,492,554 votes and approximately 11,160, 240 ballot positions. No tabulation errors were encountered during this portion of the test. All results were generated accurately and the ECanvas upload proved accurate as well.

In addition to the one incomplete mark, we did encounter another setback which jeopardized completion of this campaign by year's end. During creation of the ballots for the Consolidated Election test, the printing of the gray outline was found to be darker than the recommended specifications, which caused concern with the equipment's ability to accurately tabulate said ballots. Therefore, it was determined that those would be discarded and new ones created, even though the marking had already been completed. This caused an approximate one and one-half week delay.

Along with our regular, in-house testing, we often seek input from the ADA community regarding voting devices designed to assist those with disabilities. On December 10th, Unisyn conducted a demonstration of the OVI at the Mary Bryant Home for the Blind, here in Springfield, IL for several of their residents. All were able to independently utilize the OVI device for voting in the mock election that was presented. They did have a few suggestions for possible improvements; Unisyn has taken all recommendations under advisement and is considering incorporating them in future releases.

In total, this test of three elections equaled a ballots cast of 343,435, tabulated by a combination of the OVO and OVCS. The ballots counted in these elections contained a total of 4,312,764 votes and approximately 31,790,240 ballot positions. The running of the ballots for this round began on September 22nd and ended on December 10th.

As with any voting system, prior to Board approval, it must first be tested to the Voluntary Voting System Guidelines (VVSG) of at least the 2002 standards by an approved Voting System Testing Laboratory (VSTL). This system was tested by NTS Huntsville, and they found the system meets said requirements.

Unisyn has completed our testing and has met the testing requirements of an approved VSTL. With that, it is my recommendation that the Board grant a two-year interim approval for the OpenElect 1.3.3 voting system, as requested by Unisyn.